

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ZAFTR, INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	2:21-cv-2177- WB
	:	Judge Wendy Beetlestone
KEVIN JAMESON LAWRENCE and	:	
BVFR & ASSOCIATES, LLC,	:	
Defendants.	:	

**ORDER**

Upon consideration of Plaintiff's Motion to Compel Discovery in Aid of Execution, it is hereby ORDERED as follows:

- A. The Motion is GRANTED.
- B. Defendants shall provide full and complete responses to the interrogatories, without objection, within 10 days.
- B. Defendants shall provide full and complete responses to the requests for production of documents, without objection, within 10 days.
- C. Defendants shall appear for deposition within 10 days.
- D. Defendants are advised that should they fail to comply with this Order, this Court will, upon motion and opportunity to be heard, impose such additional sanctions upon Defendants as permitted by law.

Date: \_\_\_\_\_

\_\_\_\_\_  
WENDY BEETLESTONE  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ZAFTR, INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	2:21-cv-2177- WB
	:	Judge Wendy Beetlestone
KEVIN JAMESON LAWRENCE and	:	
BVFR & ASSOCIATES, LLC,	:	
Defendants.	:	

**MOTION TO COMPEL DISCOVERY**  
**IN AID OF EXECUTION**

COMES NOW Plaintiff Zaftr, Inc. by and through its counsel, Lee M. Herman, Esquire, and makes the following Motion:

1. On August 23, 2023 the Court entered Judgment against Defendants in the amount of \$904,473.24. [Doc. 74]

1. On May 23, 2024 Zaftr served Defendants with a package of Discovery in Aid of Execution comprised of a notice of deposition, interrogatories, and requests for production of documents. See true and correct copy of Discovery in Aid of Execution attached hereto as Exhibit 1.

2. Defendants have not, as of the date of filing of this Motion, served any answers or objections to the interrogatories or the requests for production of documents.

3. The notice of deposition scheduled the depositions of Defendants of June 7, 2024 at 9:00 AM. See Exhibit 1.

4. On June 7, 2024 Zaftr convened the deposition and Defendants failed and refused to appear.

5. The Federal Rules of Civil Procedure provide that a party may move for an order compelling discovery where a party fails to answer interrogatories [Rule 37(a)(3)(B)(iii)], fails to

produce documents or things [Rule 37(a)(3)(B)(iv)], or failed to answer questions at a deposition [Rule 37(a)(3)(B)(i)].

6. L.R. 26.1 (g) provides that a brief is not required on a routine motion to compel discovery containing an averments that no response or objections has been timely served.

7. L.R. 26.1 (g) provides that the court may summarily grant or deny a routine motion to compel without waiting for a response.

8. Fed.R.Civ.P. 37 (b) and (c) provide sanctions for failure to comply with orders of Court and for failure to comply with discovery.

9. Undersigned counsel certifies that he has made reasonable efforts to resolve this discovery dispute but that a resolution has not been reached.

WHEREFORE, Plaintiff Zafr, Inc. respectfully requests that the Honorable Court summarily enter an Order providing the following relief:

- A. Compelling Defendants to provide full and complete responses to the interrogatories, without objection, within 10 days.
- B. Compelling Defendants to provide full and complete responses to the requests for production of documents, without objection, within 10 days.
- C. Compelling Defendants to appear for deposition within 10 days.
- D. Advising Defendants of the availability of further sanctions should they disobey the Court's Order.
- E. Such other relief as the Court may deem just.

Dated: August 16, 2024.

Respectfully submitted,

Lee M. Herman

Lee M. Herman  
280 N. Providence Road, Suite 4  
Media, PA 19063  
(610) 891-6500  
lmh@lmhlaw.com  
Counsel for Plaintiff

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this 16th day of August 2024 served a true and correct copy of the foregoing document via this Court's electronic filing system upon all counsel of record and that a copy has been sent by United States Mail, first class, prepaid to:

Kevin J. Lawrence, Esquire  
15038 Chasen Lane  
Columbia, Maryland 21044-2212

BVFR & Associates, LLC  
2023 North Second Street, Suite 301  
Harrisburg, Pennsylvania 17102

*Lee M. Herman*

Lee M. Herman, Esquire

**LEE M. HERMAN, ESQUIRE**

Attorney At Law  
280 N. PROVIDENCE ROAD, SUITE 4  
Media, PA 19063

---

(610) 891-6500  
Efax: (215) 689-1930

May 23, 2024

Kevin J. Lawrence, Esquire  
10538 Jason Lane  
Columbia, MD 21044-2212

BVFR & Associates, LLC  
2023 N. 2<sup>nd</sup> Street, Suite 301  
Harrisburg, PA 17102

RE: Zafttr Inc. n/k/a Svella Financial Corp. vs. Kevin Jamison et al  
21-cv-02177, USDC Eastern District of Pennsylvania

Dear Mr. Lawrence and BVFR & Associates, LLC,

I represent the Judgment Creditor, ZAFTR n/k/a Svella Financial Corp.

Please find post-judgment discovery, including Interrogatories, Document Request and Notice of Deposition in Aid of Execution, directed at each defendant.

Kindly provide the written discovery and document production 72 hours before the noted deposition date.

Sincerely,  
Lee M. Herman, Esquire

*Lee M. Herman*

BY: \_\_\_\_\_  
Lee M. Herman

LMH/

**LEE M. HERMAN, ESQUIRE**

I.D. No. 27570

280 N. Providence Road, Suite 4

Media, PA 19063

610-891-6500; eFax: 215-689-1930

Attorney for Plaintiff, Zaftr Inc.

*Our File #24200561*

Zaftr Inc.	:	United States District Court
	Plaintiff	: Eastern District of Pennsylvania
v.	:	
	:	
Kevin Jameson Lawrence and BVFR & Associates, LLC	:	No. 21-2177
	:	
	Defendants	:

**DISCOVERY IN AID OF EXECUTION**  
**PURSUANT TO RULE 3117 Pa. R.C.P.**

To: Kevin Jameson Lawrence and BVFR & Associates, LLC

**NOTICE OF DEPOSITION IN AID OF EXECUTION**

Pursuant to Rule 69 of the Federal Rules of Civil Procedure, and Rules 3117 and 4007.1 of the Pennsylvania Rules of Civil Procedure, you are hereby notified that Plaintiff will take your deposition at the Law Offices of Lee M. Herman, Esquire, 280 N. Providence Road, Suite 4, Media, PA 19063 at the date and time set forth below.

A separate response as to the Interrogatories and Request for Production is due from each defendant, and is due 72 hours prior to the date and time of the Deposition set forth in this notice.

Pursuant to FRCP Rule 69 and PaRCP Rules 3117, 4007.1 (d) and 4009, you are directed to produce the items set forth in the attached Request for Production of Documents 72 hours prior to the Deposition in Aid of Execution.

DATE: June 7, 2024      TIME: 9:00 am

Lee M. Herman  
Lee M. Herman, Esquire  
Attorney for Plaintiff

INTERROGATORIES IN AID OF EXECUTION

State the following information:

1. For all bank accounts, list the name of the bank, the bank's address, the account number and the name in which the bank account is held.
2. For each account noted in your answer to the prior interrogatory, state:
  - (a) When the last deposit was made
  - (b) When the last check was paid
3. Identify any safety-deposit box or boxes maintained by you. State:
  - (a) name of the bank or banks,
  - (b) branch or branches
  - (c) identification number or other designation of the box or boxes.
  - (d) full description of the contents and also the amount of cash among those contents.
  - (e) If you maintain any of these jointly with another person, give their full names and addresses
4. Do you own any real estate? Yes \_\_\_\_ No \_\_\_\_ If yes, state the following for each property:
  - (a) Name(s) in which property is held
  - (b) Address of Property
  - (c) Date property was purchased
  - (d) Purchase price
  - (e) Name and address of mortgage holder
  - (f) Balance due on mortgage
  - (g) Names and addresses of all tenants and monthly rental paid by each tenant.

NAME AND ADDRESS OF TENANT	MONTHLY RENTAL
----------------------------	----------------

5. Does you own any mortgages against any real estate owned by any other person in the United States? If so, state
- (a) whether or not you own this mortgage with any other individual and supply their full name and address.
  - (b) the names and addresses of all the borrowers
  - (c) and the State and County where said mortgage is recorded
  - (d) the number of the volume and the page number.
6. List all motor vehicles owned by you, stating the following for each vehicle:
- (a) Make, model and year
  - (b) License plate #
  - (c) Vehicle identification #
  - (d) If there is a lien on the vehicle, state the name and address of the lien holder and the amount due to the lien holder
7. Does anyone owe you money? List all accounts receivable due to you, stating the name, address and amount due on each receivable.

<u>NAME AND ADDRESS</u>	<u>AMOUNT DUE</u>
-------------------------	-------------------

8. For any transfer of assets that has occurred within two years from the date of these interrogatories, specifically identify:
- (a) The nature of the asset
  - (b) The date of transfer
  - (c) Name and address of the person to whom the asset was transferred
  - (d) The consideration paid for the asset and the form in which it was paid (check, cash, etc.)
  - (e) Explain in detail what happened to the consideration paid for the asset.



9. Set forth all other judgments that you are aware of that have been entered against you and include the following:

Creditor's Name	Creditor's Attorney	Amount Due	Name of Court	Docket Number
--------------------	------------------------	---------------	------------------	------------------

10. Have any payments been made on account of the judgments identified in the previous interrogatory? If so, state

- (a) who made the payments
- (b) the date of the payments
- (c) the amount of each payment
- (d) whether the judgment has been satisfied

11. For all litigation in which you is presently involved, state:

- (a) Date litigation commenced
- (b) Name of the action
- (c) Nature of the action
- (d) Name of all parties and the names, addresses and telephone numbers of their attorneys
- (e) Trial date
- (f) Status of case
- (g) Name of the court and docket number

12. Are there any insurance claims pending on behalf of the judgment debtor? If so, state:

- (a) The insurance carrier
- (b) Claim number
- (c) Whether the judgment debtor has retained an insurance adjuster on its behalf, and if so the name and address
- (d) The name of the insurance carrier's claim representative
- (e) Status of the claim

13. Have you obtained a judgment against anyone? If so, state

- (a) Court and docket number
- (b) Name and address of defendant
- (c) Date and amount of judgment
- (d) Status of judgment
- (e) Whether any execution has been issued

14. Does the judgment debtor have any uncollected debts, accounts receivable or other money to

which it is entitled? If so state:

- (a) The name and address of the person or company that owes the money to the judgment debtor
- (b) The amount of the claim

15. Do you own or rent the place where you live? If you rent, state:

- (a) How much is paid for rent?
- (b) To whom payments are made
- (c) Who owns the furniture at the location?
- (d) Describe all furniture and equipment

16. State the name and address of all accountants rendering services to you.

17. Are you entitled to any portion of a tax refund? If so, state full particulars.

18. Is any property is being held by someone else for your benefit or interest? If so state:

- (a) description of property,
- (b) its value
- (c) name and address of the persons holding it.

19. State the name, address and position of the person answering these questions.

Lee M. Herman

Lee M. Herman, Esquire  
Attorney for Plaintiff

**LEE M. HERMAN, ESQUIRE**

I.D. No. 27570

280 N. Providence Road, Suite 4

Media, PA 19063

610-891-6500; eFax: 215-689-1930

Attorney for Plaintiff, Zaftr Inc.

*Our File # 24200561*

Zaftr Inc.	:	United States District Court
	Plaintiff	: Eastern District of Pennsylvania
v.	:	
	:	
Kevin Jameson Lawrence and BVFR &	:	No. 21-2177
Associates, LLC	:	
	Defendants	:

### REQUEST FOR PRODUCTION

Pursuant to Rule 69 FRCivP and Pa Rules 3117 and 4009, please produce the following items:

1. Please produce a copy of articles of incorporation, Partnership agreement, or fictitious names filings, for any business in which you have an interest.
2. Please produce a copy of all tax filings for the last 2 years.
3. Please produce a copy of the deed for all properties in which you have an interest.
4. Please produce a copy of all real estate agreements to which you are a party.
5. Please produce a copy of all insurance policies which have a cash value.
6. Please produce all bonds.
7. Please produce a copy of all certificates of which you own or have an interest in.
8. Please produce a copy of last two year's bank statement of all checking, brokerage savings accounts, IRA, NOW, and CD accounts.
9. Please produce all current safety deposit box agreements, a list of all contents, and if available, the latest appraisal statement on all contents.
10. Please produce a copy of all vehicle registration cards for any vehicle (car, truck, motorcycle, boat, airplane) in which you have an interest.
11. Please produce all financial statements prepared by you, or on your behalf for the past three years, including -- without limitation -- balance sheets, income statements, sources and uses statements, cash flow analysis.

Lee M. Herman

Lee M. Herman, Esquire  
Attorney for Plaintiff

VERIFICATION

I, being the judgment debtor herein, verify the facts set forth herein are true, complete, and correct to the best of my knowledge, information and belief. I further certify that the responses to the Request for Production of documents are true, complete and correct to the best of my knowledge, information and belief. I take this verification subject to the penalties for unsworn falsification to authorities of 18 Pa.C.S.A. § 4904 and/or the applicable FRCivP.

\_\_\_\_\_  
Kevin Jameson Lawrence

BVFR & ASSOCIATES, LLC

BY:\_\_\_\_\_

Its\_\_\_\_\_

Date: \_\_\_\_\_